



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
-----------------	-------------	----------------------	---------------------	------------------

10/688,358

10/17/2003

Alan Eaton

15114.5.1

2308

7590

06/19/2006

R. BURNS ISRAELSEN  
WORKMAN, NYDEGGER & SEELEY  
1000 Eagle Gate Tower  
60 East South Temple  
Salt Lake City, UT 84111

EXAMINER

LE, MIRANDA

ART UNIT

PAPER NUMBER

2167

DATE MAILED: 06/19/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>		<b>Applicant(s)</b>	
	10/688,358		EATON, ALAN	
	<b>Examiner</b>		<b>Art Unit</b>	
	Miranda Le		2167	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 17 October 2003.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-39 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☐ Claim(s) \_\_\_\_\_ is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                        | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)               | Paper No(s)/Mail Date. _____  |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>10/17/03</u> .  | 6) <input type="checkbox"/> Other: _____                                    |

## DETAILED ACTION

### *Information Disclosure Statement*

1. Applicants' Information Disclosure Statement, filed 10/17/2003, has been received, entered into the record, and considered. See attached form PTO-1449.

### *Claim Rejections - 35 USC § 112*

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 7, 20, 29 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

The language "that would otherwise occur from waiting for the excluded data" is unclear. Although "the excluded" data (line) finds antecedent basis (line), there is an additional confusion associated therewith.

"The excluded data" relating to the "otherwise" occurrence is confusingly used to represent a scenario where the data is required to be "included" so that latency occurs from waiting for it. It is unclear how "excluded data" can represent "included data" as required.

Claims 8-12, 21-28, 30-39, are dependent upon claims 7, 20, 29, respectively, suffer from deficiencies similar to their respective base claims, and therefore are likewise rejected.

***Claim Rejections - 35 USC § 101***

3. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

Claim 39 is rejected under 35 U.S.C. § 101 because the claimed invention is directed to non-statutory subject matter.

Claim 39 is not limited to a tangible recordable media, instead being sufficiently broad so as to encompass intangible recordable media such as transmission media (i.e. any other medium which can be used to carry..., communications connection either hardwired, wireless). As such, the claim is not limited to statutory subject matter and is therefore non-statutory.

***Claim Rejections - 35 USC § 102***

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless:

(e) the invention was described in

(1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or

(2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claims 1-16, 18-23, 25-31, 34-36, 39 are rejected under 35 U.S.C. 102(e) as being anticipated by Huff et al. (US Pub. No. 20020032687).

Huff anticipated independent claims 1, 7, 13, 20, 29, 39 by the following:

**As per claim 1**, Huff teaches for a system capable of transmitting data from a database maintained by a server system to a client, the database comprising one or more data objects representing one or more individuals, a computer-readable medium having stored thereon a data structure for representing the data so as to reduce latency when transmitting the data, the data structure comprising:

a plurality of nodes, each representing an associated data object which stores an object identifier (i.e. a person-identifying number at [0098], [0042], [0097], [0105], [0100]), relationship data (i.e. The normal text at [0094]) describing how an individual corresponding to the data object is related to one or more other individuals (i.e. a person and his or her links to all family members at [0094], [0053], [0054]), and at least one of name, date, and place data (i.e. names at [0039], latitude and longitude indicators at [0037], [0039]) for the corresponding individual, wherein the plurality of nodes are grouped (i.e. amateur group at [0105]) into one or more levels within a hierarchical chart ([0100], [0105], [0036], [0040], [0044]); and

for each one of the plurality of nodes, a plurality of data fields (i.e. a person-identifying number at [0098]) comprising an object identifier field and one or more relationship fields (i.e. (i.e. The normal text at [0094]) which reference one or more other nodes in one or more levels of the hierarchical chart ([0100], [0105], [0060]), but wherein the plurality of data fields exclude at least some name, date or place data that is stored in the data object represented by the node in order to reduce latency that would otherwise occur when sending or receiving the plurality of

nodes ([0125], [0126]), wherein the one or more relationship fields uniquely identify each object represented by each node ([0098], [0100]), without having to reference the at least some name, date, or place data that has been excluded from each node ([0113], [0100], [0105], [0036], [0040], [0044]).

**As to claim 7, 20,** Huff teaches in a system having a server system maintaining a database containing data for a plurality of individuals, the data for each individual comprising (i) at least some name, date, or place data associated with the individual, (ii) one or more relationships to one or more other individuals, and (iii) an individual identifier, a method of transferring at least a portion of the data from the database to a client that reduces latency which otherwise may be associated with the transfer, the method comprising the steps of:

requesting, by a client (i.e. access at [0065]), data for one or more individuals from a server system ([0063], [0064], [0065]);

in response to the request, receiving, from the server system, a plurality of nodes representative of the one or more individuals whose data has been requested by the client (i.e. his wife and her parents and siblings would be shown at [0210]), but containing only an initial portion of the requested data by having excluded at least some available name, date, or place data to reduce latency that would otherwise occur from waiting for the excluded data, wherein the initial portion comprises an individual identifier (i.e. names at [0207]) and one or more links to one or more other nodes based on one or more relationships that an individual has to one or more other individuals ([0065], [0067], [0091], [0207], [0210], [0211]);

from the one or more links in each node, expanding the plurality of nodes at the client to produce a client data structure representative of the requested data (i.e. request an ancestor summary report at [0155], [0130]); and

for one or more selected nodes, receiving a subsequent portion of the requested data that comprises at least some of the name, date, or place data (i.e. names at [0162]) which was excluded from the received nodes to reduce latency ([0162], [0179], [0191]).

**As per claim 13**, Huff teaches for a system capable of transmitting genealogical data from a database stored by a server to a client, the database comprising one or more data objects representing one or more individuals, a computer-readable medium having stored thereon a data structure for representing the genealogical data so as to reduce latency when transmitting the data, the data structure comprising:

a plurality of nodes, each representing an individual in a pedigree chart, the individual having at least one of name, date, and place data associated with the individual (i.e. identifying data about a person and his or her links to all family members at [0094]), wherein one of the plurality of nodes is an anchor node ([0094], [0053], [0054], [0310]), and wherein the plurality of nodes are grouped (i.e. amateur group at [0105]) into one or more generations of the pedigree chart ([0210], [0310], [0105]); and

for each one of the plurality of nodes, a plurality of data fields comprising an individual identifier field and one or more relationship fields which reference one or more other nodes in the one or more generations of the pedigree chart, but wherein the plurality of data fields exclude at least some name, date, or place data (i.e. names at [0039], latitude and longitude indicators at

[0037], [0039]) that is associated with the individual in order to reduce latency that would otherwise occur when transferring the plurality of nodes ([0125], [0126]), wherein the one or more relationship fields uniquely identify (i.e. The normal text at [0094]) each individual represented by each node ([0100], [0098]), without having to reference the at least some name, date, or place data that has been excluded from each node ([0113], [0098], [0100], [0125], [0126]).

**As per to claims 29, 39,** Huff teaches in a system having a client capable of receiving genealogical data from a database through a server, wherein for each of one or more individuals the database comprises at least some name, date, or place data for the individual, relationship data describing how the individual is related to one or more other individuals, and an individual identifier, a method for displaying a pedigree chart at the client, the method comprising the steps of:

receiving a plurality of nodes from the server (i.e. central server database at [0036]), wherein the plurality of nodes are representative of individuals in the pedigree chart, but contain only an initial portion of data associated with the individuals, wherein for each node the initial portion comprises and individual identifier (i.e. a person-identifying number at [0098], [0042], [0097], [0105], [0100]) and one or more relationships (i.e. The normal text at [0094]) to one or more other nodes representing one or more other individuals, but excludes at least some associated genealogical data to reduce latency that would otherwise occur from receiving the excluded data with the initial portion ([0036], [0039], [0063], [0094], [0098], [0130]);



from the one or more relationships in each node, expanding the plurality of nodes at the client to generate a client data structure representative of the pedigree chart (i.e. a huge increase in the level of computing detail that must be handled at [0110]) in response to a user selecting one of the nodes in the client data structure, retrieving at least a portion of the excluded genealogical data associated with the selected node from the database ([0109], [0110], [0155], [0130], [0044], [0042]); and

displaying the at least a portion of the excluded genealogical information associated with the selected node at the client (i.e. Maps Showing Locations of Ancestors' Births, Marriages at [0192], [0037], [0120]).

**As per claim 2**, Huff teaches the object is an individual ([0094], [0037]).

**As per claim 3**, Huff teaches the plurality of nodes represents genealogical data ([0037]).

**As per claim 4**, Huff teaches the plurality of nodes represents multi-level marketing data ([0064], [0067], [0129], [0219]).

**As per claim 5**, Huff teaches the plurality of data fields further comprises: one or more next level pointers, the next level pointers referencing one or more nodes in a next level; and one or more previous level pointers, the previous level pointers referencing one or more nodes in a previous level ([0117]).

**As per claim 6**, Huff teaches the plurality of data fields further comprise:

a next pointer, the next pointer referring to a next node in the same level ([0117]);

a previous pointer, the previous pointer referring to a previous node in the same level ([0097]);

a level data field, the generation field identifying a level of each node ([0097]); and

a y position field for positioning each node within each level on a display device, wherein the next pointer, the previous pointer, the level data field and the y position field are generated at the client ([0120], [0037], [0129]).

**As per claim 8**, Huff teaches the client data structure is a pedigree chart representative of genealogical data ([0037]).

**As per claim 9**, Huff teaches the client data structure is a chart representative of multi-level marketing data ([0064], [0067], [0129], [0219]).

**As per claim 10**, Huff teaches the each of the plurality of nodes comprises one or more server data fields ([0064], [0210], [0041], [0048]).

**As per claim 11**, Huff teaches the one or more server data fields are expanded at the client to generate additional client data fields ([0041], [0210]).

**As per claim 12**, Huff teaches the server data fields and the client data fields define relationships between the plurality of nodes ([0041], [0048]).

**As per claim 14**, Huff teaches the anchor node comprises the first generation of the pedigree chart ([0012]).

**As per claim 15**, Huff teaches each of the one or more generations comprises at least one node ([0210]).

**As per claim 16**, Huff teaches the plurality of data fields further comprises:

a father pointer, the father pointer referencing a node in a next generation ([0202]);

a mother pointer, the mother pointer referencing a node in the next generation ([0210]);

and

a child pointer, the child pointer referencing a node in a previous generation ([0210]).

**As per claim 18**, Huff teaches the plurality of data fields further comprises an identifier field, the identifier field uniquely identifying the individual represented by each node from all other individuals stored on the database ([0041], [0210], [0048]).

**As per claim 19**, Huff teaches the plurality of data fields further comprise:

a next pointer, the next pointer referring to a next node in the same generation ([0210]);

a previous pointer, the previous pointer referring to a previous node in the same generation ([0210], [0202]);

a generation data field, the generation field identifying a generation of each node ([0210]); and

a y position field for positioning each node within each generation on a display device, wherein the next pointer, the previous pointer, the generation data field, and the y position field are generated at the client ([0120], [0037], [0192]).

**As per claim 21**, Huff teaches the plurality of nodes are generated by the server and form a server data structure having one or more generations, wherein the nodes in adjacent generations are linked ([0012]).

**As per claim 22**, Huff teaches the server data structure is expanded to generate the client data structure having one or more generations, wherein the nodes in a same generation are linked together and the nodes in adjacent generations are linked ([0210]).

**As per claim 23**, Huff teaches each individual represented by each node is identified by family relationships ([0202]).

**As per claim 25**, Huff teaches each of the plurality of nodes of the client data structure comprises:

the one or more server data fields of the server data structure ([0210]); and

one or more client data fields comprising: a next pointer for identifying a next node in a same generation ([0210]);

a previous pointer for identifying a previous node in the same generation ([0210]); and  
a y position node for positioning the nodes of the same generation on a display device ([0210], [0037], [0192]).

**As per claim 26**, Huff teaches the server data structure is expanded to generate the client data structure ([0015], [0190]).

**As per claim 27**, Huff teaches the act of expanding the plurality of nodes further comprises the acts of:

determining a generation data field for each node ([0192], [0047]).  
determining the y position data field for each node ([0192], [0047]); and  
determining the next and previous pointer data fields based on the y position data fields of nodes having the same generation data field ([0192], [0047]).

**As per claim 28**, Huff teaches the act of displaying the genealogical information for each node selected by a user ([0120], [0192]).

**As per claim 30**, Huff teaches the step of receiving a plurality of nodes from the server further comprises the steps of:

generating, by the server, the plurality of nodes in response to a request for genealogical data from the client ([0045], [0210], [0113]); and

linking the plurality of nodes according to family relationships ([0045], [0210], [0113]).

**As per claim 31**, Huff teaches the step of linking the plurality of nodes further comprises the step of generating a plurality of server data fields for each node ([0045], [0210], [0113]).

**As per claim 34**, Huff teaches the step of expanding the plurality of nodes further comprises the steps of: generating client data fields for each of the nodes, the client data fields comprising:

a next pointer pointing to a next node in a same generation ([0190], [0210], [0113]);

a previous pointer pointing to a previous pointer in the same generation ([0210], [0190]);

a generation data field to identify a generation of each node ([0210]); and

a y position field to position, at the client, all nodes having identical generation data fields ([0210], [0190]).

**As per claim 35**, Huff teaches the client data structure is a linked data structure representative of genealogical information requested by the client ([0210], [0190], [0192]).

**As per claim 36**, Huff teaches the client data structure does not contain genealogical data ([0034]).

As per claim 38, Huff teaches the genealogical data retrieved by the client is cached by the client ([0040-0041]).

***Claim Rejections - 35 USC § 103***

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

7. Claims 17, 24, 32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Huff et al. (US Pub. No. 20020032687, in view of Gasper et al. (US Patent No. 6,373,488).

As per claim 17, Huff does not disclose the plurality of data fields further comprises a flags field, the flags field capable of representing characteristics of the individual represented by each node.

Gaspar teaches the plurality of data fields further comprise a flags field, the flags field capable of representing characteristics of the individual represented by each node (i.e. the Visited Flag 512 at col. 5 lines 33-36).

It would have been obvious to one of ordinary skill of the art having the teachings of Huff and Gaspar at the time the invention was made to modify the data structure of Huff to include the plurality of data fields comprising a flags field as taught by Gaspar. One of ordinary skill in the art would be motivated to make this combination in order to keep track of which still require individuals have been process in view of the teaching of Gaspar, as doing so would give an improved mechanism for displaying tree-structure data, not requiring an end-user to jump back and forth to different screens to follow each path of the tree (at col. 1, line 53 to col. 2 line 2).

Huff does not specifically teach a flag data field for representing characteristics of the individual associated with the node.

Gaspar teaches a flag data field for representing characteristics of the individual associated with the node (i.e. the Visited Flag 512 at col. 5 lines 33-36).

It would have been obvious to one of ordinary skill of the art having the teachings of Huff and Gaspar at the time the invention was made to modify the data structure of Huff to include a flag data field for representing characteristics of the individual associated with the node as taught by Gaspar. One of ordinary skill in the art would be motivated to make this combination in order to keep track of which still require individuals have been process in view of the teaching of Gaspar, as doing so would give an improved mechanism for displaying tree-



structure data, not requiring an end-user to jump back and forth to different screens to follow each path of the tree as taught by Gasper (at col. 1, line 53 to col. 2 line 2).

As per claim 24, Huff teaches each of the plurality of nodes in the server data structure comprises one or more data fields, the one or more server data fields comprising:

a father pointer for indicating a node in a next generation representative of a father if known ([0210]);

a mother pointer for indicating a node in a next generation representative of a mother if known ([0210]);

a child pointer for indicating a node in a previous generation representative of a child if known ([0210]);

an identifier data field for uniquely identifying the individual from all other individuals ([0094], [0098]).

Huff does not teach a flag data field for representing characteristics of the individual associated with the node.

Gasper teaches a flag data field for representing characteristics of the individual associated with the node (i.e. the Visited Flag 512 at col. 5 lines 33-36).

It would have been obvious to one of ordinary skill of the art having the teachings of Huff and Gasper at the time the invention was made to modify the data structure of Huff to include a flag data field for representing characteristics of the individual associated with the node as taught by Gasper. One of ordinary skill in the art would be motivated to make this combination in order to keep track of which still require individuals have been process in view of

the teaching of Gasper, as doing so would give an improved mechanism for displaying tree-structure data, not requiring an end-user to jump back and forth to different screens to follow each path of the tree as taught by Gasper (at col. 1, line 53 to col. 2 line 2).

**As per claim 32**, Huff teaches the server data fields comprise:

- a father pointer data field pointing to a father node in a next generation ([0210]);
- a mother pointer data field pointing to a mother node in the next generation ([0210]);
- a child pointer data field pointing to a child node in a previous generation ([0210]);
- an identification data field for uniquely identifying the individual from all other

individuals stored in the database ([0094], [0098]).

Huff does not explicitly teach a flags data field.

Gasper teaches a flag data field for representing characteristics of the individual associated with the node (i.e. the Visited Flag 512 at col. 5 lines 33-36).

It would have been obvious to one of ordinary skill of the art having the teachings of Huff and Gasper at the time the invention was made to modify the data structure of Huff to include a flag data field for representing characteristics of the individual associated with the node as taught by Gasper. One of ordinary skill in the art would be motivated to make this combination in order to keep track of which still require individuals have been process in view of the teaching of Gasper, as doing so would give an improved mechanism for displaying tree-structure data, not requiring an end-user to jump back and forth to different screens to follow each path of the tree as taught by Gasper (at col. 1, line 53 to col. 2 line 2).

8. Claim 33 is rejected under 35 U.S.C. 103(a) as being unpatentable over Huff et al. (US Pub. No. 20020032687, in view of Gasper et al. (US Patent No. 6,373,488), and further in view of Raz. (US Patent No. 6,292,827).

**As per claim 33**, Huff and Gasper does not expressly teach the server data fields are compressed before the plurality of nodes is transmitted to the client.

Raz teaches the server will compress the files in real-time at col. 11 lines 6-8.

It would have been obvious to one of ordinary skill of the art having the teachings of Huff, Gasper and Raz at the time the invention was made to modify the method of Huff and Gasper to include the server data fields are compressed before the plurality of nodes is transmitted to the client as taught by Raz. One of ordinary skill in the art would be motivated to make this combination in order to optimize the Network traffic in view of the teaching of Raz, as doing so would give the benefit of moving information from the server to client in the most efficient manner as taught by Raz (at col. 11 lines 6-8).

9. Claim 37 is rejected under 35 U.S.C. 103(a) as being unpatentable over Huff et al. (US Pub. No. 20020032687, in view of Griesmer et al. (US Patent No. 5,923,328).

**As per claim 37**, Huff does not teach a user selects a node with a mouse over.

Huff does not explicitly teach "a user selects a node with a mouse over".

Griesmer teaches a user, who has selected a node in the tree and "dragged" the node over to the sub-tree bar control, positions the mouse over a button in the control and releases the mouse button at col. 7 lines 64-67.

It would have been obvious to one of ordinary skill of the art having the teachings of Huff and Griesmer at the time the invention was made to modify the method of Huff to include a users selects a node with a mouse over as taught by Griesmer. Once of ordinary skill in the art would be motivated to make this combination in order to displays a sub-tree view control with the selected noted as its root, as doing so would provide a system and method for populating the sub-tree view control with items (col. 7 line 67 to col. 8 line 5).

*Conclusion*

10. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Miranda Le whose telephone number is (571) 272-4112. The examiner can normally be reached on Monday through Friday from 8:30 AM to 5:00 PM.

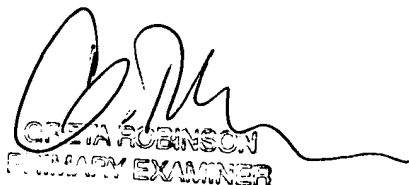
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John R. Cottingham, can be reached on (571) 272-7079. The fax number to this Art Unit is (571)-273-8300.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-3900.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Miranda Le  
June 09, 2006



GLORIA ROBINSON  
PRIMARY EXAMINER